

UNAPPROVED/UNOFFICIAL - MINUTES

These minutes are DRAFT minutes and are posted here to comply with RSA 91-A:2. The Board has not voted to accept them. Changes may/may not be made prior to their adoption at the next Board meeting.

NEW HAMPSHIRE STATE BUILDING CODE REVIEW BOARD

DRAFT - Minutes of Hearing - January 11, 2008

Attendance:

Jerry Tepe, Board of Architects, licensed architect
Thomas Malley, Bureau of Electrical Safety and Licensing, licensed master electrician
Tedd Evans, Board for Licensing and Regulation of Plumbers, licensed master plumber
Mark Weissflog, NH Electrical Contractors Business Assoc., licensed master electrician
Thomas Lambert, Chief, NH Association of Fire Chiefs, Municipal Fire
John Tuttle, NH Home Builders Association, Architectural designer - residential
Jon Osgood, Public Utilities Commission, state energy conservation code office
Robert Ives, NH Plumbers and Mechanical Contractors Association, mechanical contractor
Wayne A. Richardson, NH Building Officials Association, municipal building official
Michael Santa, CBO, Governor's Commission on Disability, Architectural barrier/free design

Excused:

Senator Robert Clegg, Chairman, designee for Dept of Safety
Joel Fisher, Board of Engineers, licensed structural engineer
Laura A. Black, PE - Board of Engineers, licensed electrical engineer
Michael Hoisington, Fire Marshal, NH Association of Fire Chiefs, active fire prevention officer

Absent:

James Petersen, PE, Board of Engineers, licensed mechanical engineer
VACANT, NH Municipal Association
Fred Baybutt, Associated General Contractors, building contractor - non-residential bldgs.

Guests:

Med Kopczynski, Assistant City Manager, Member from the NH Municipal Association.
Mark Hilbert, State Fire Marshal's office

Acting Chair Jerry Tepe declared this Board meeting open with a quorum of Board members present. Notification of the meeting was published on-line on the Safety website, and notices were placed at the Department of Safety, the Fire Academy and 2 locations at the State House. Each Board member was also sent the Notice of Meeting.

Adoption of meeting minutes from November 16, 2007

Chairman Tepe asked for a **MOTION** to adopt the meeting minutes from November 16, 2007. Wayne Richardson made a **MOTION** to accept the minutes as published. John Tuttle **SECONDED**. Discussion/comments/corrections/omissions - there being none, the Chair called for the vote. Vote taken was **UNANIMOUS** in favor. Chairman Tepe declared them **PASSED**.

OLD BUSINESS

Re-cap of amendments:

The Chair asked if, other than those in the Plumbing Code, there were any errors or omissions. The Chair recognized Med Kopczynski. Med suggested that the Board do a little continuity review. For example, if you look at page 3 amendment 7.16.5.3 Shaft Enclosures, the amendments that were shown were taken from the 2003 - and just so that there is no confusion in the public's mind - if you look at the 2006 - the wording that has not been touched by the amendment - has in fact changed. "Shaft Enclosures . . . opening shall be protected with **approved** fire and smoke dampers." Out of the print version it says "Shift Enclosures . . . opening shall be protected with **listed** fire and smoke dampers." It's very different. Another example is on 1.3. in the CD version it says ". . . **designed and installed** . . ." and in the print version it says ". . . **in accordance with** . . .". The Chair said he will take the time and go back and review them. The Chair asked everyone to go back over their notes to see what was done and not done.

Plumbing Code amendments:

Tedd Evans explained the hand-out/emailed to all Board members on what went on with the Exhibits which ones had discrepancies, and which ones needed to be addressed. 603.1 size of water service pipes and 607.1 Maximum Water Temperature from the International Plumbing Code will be scheduled for a **PUBLIC HEARING**.

Tedd stated that the Board needs to discuss the maximum water temperatures in regards to the IRC.

On Page One of Tedd's material . . . Section 101.2. There are 2 past amendments that differ slightly. The 2nd version - a **MOTION** was made to accept the 2nd version which was in Exhibit 24 - by Robert Ives. **MOTION** was **SECONDED** by Wayne Richardson. Discussion: there being no further discussion Chair asked for a vote. Vote was taken with all Ayes and no Nays. **PASSED**

On Page Two of Tedd's material . . . Section 108.4. The 1st option which strikes the reference to RSA 329:A:18-1 - which is a penalties section for licensing issues and does not apply. Tom Malley made the **MOTION** to accept the 1st option. Bob Ives **SECONDED** the **MOTION**. Discussion: there being no further discussion Chair asked for a vote. Vote was taken with all Ayes and no Nays. **PASSED**

Top of Page Three of Tedd's material . . . Section 108.5. Same reference as above, same condition. Chair asked for a motion for the first option. Mark Weissflog made the **MOTION** to accept. John Tuttle **SECONDED**. Discussion: there being none, the Chair asked for a vote. Vote was taken with all Ayes and no Nays. **PASSED**.

Bottom of Page Three - slight differences between versions of 305.6.1 references to 48 inches vs. 4 feet. The Code uses inches and not feet in their format. The Chair asked for a motion for the

2nd option for EXHIBIT 24. Jon Osgood made the **MOTION** to accept. Tom Malley **SECONDED**. Discussion: there being none, the Chair asked for a vote. Vote was taken with all Ayes and no Nays. **PASSED**.

Page 4 . . . Section 403.2. The Chair asked for clarification from Tedd on which version he wanted the Board to pass. Tedd responded that it was Section #2 it reads "Separate facilities shall not be required in structures or tenant spaces with a total occupant load including both employees and customers of 15 or less." The Chair has placed this item on hold until next month for clarification. The intent is to get this information on the website just as soon as the Board can determine the accuracy.

The 5 pound testing for pressure is in the Code now and the Chair asked to have 312.3 to rescind the amendment. Tedd clarified that what the Plumbers Board was trying to add was making that requirement only for plastic drainage and waste and vent - that is the way the Code reads now. The language is found in the packet of information. Amendment 312.1 is not needed as it is covered in 312.3. Tedd made the **MOTION** to rescind the amendment. Bob Ives **SECONDED**. Discussion: there being no further discussion, the Chair asked for a vote. Vote was taken with all Ayes and no Nays. **RESCINDED**.

Med Kopczynski asked if the Board has considered adopting the International Existing Building Code. The Chair answered that the Board has not. The Board has been in discussions with the State Fire Marshal's office - and have not really made any progress. The Board will take the suggestion under advisement and will discuss the matter with Chairman Clegg.

Bob Ives asked for clarification of 501.6 from the last meeting - which deals with water temperature control in piping in tank-less heaters. Tedd Evans responded that you can have the water coming out at 180 degrees - you just can not have it going down a drain higher than 140 degrees. Bob explained that this one is a safety issue. With this in place every single unit is going to have scalding water coming out of the faucet. If you put the mixing valve in place - the newer type mixing valve fails cold - it does not fail to the hot. The older ones when they failed - they just stopped working. Tedd Evans said that the tradition was to use a tempering device that was made of a bi-metallic coil. Those tempering devices were voluntary not mandatory. They were basically used to extend the amount of hot water delivered by the tank-less coil. The newer ones are safe as they do fail to cold water, which is needed especially on a tank-less heater. Mike Santa made a **MOTION** to reconsider this amendment. Tom Malley **SECONDED** the **MOTION**. Discussion: Mike asked about the way it was amended. . . . "when a tempering device is used" . . . we are suggesting that some type of tempering device has to be used. Tedd explained that if we allowed the temperature with a standard device for 4 or 5 seconds - it will still deliver temperatures up to 180 degrees until flow is established through the device which activates the device. With the new device, this does not happen. You could have the high limit on a boiler set at 130 - but unlikely. That would be another way to control - and would not need a tempering device. Most of baseboard heat you need 180 degree temperature and you would need this device. There being no further discussion, Chairman Tepe asked for a vote of the Board. Results were all Ayes and no Nays. Motion **PASSED**.

Frequently asked Questions:

The Board has not seen the section back up on the website. Evvy contacted Margaret McQueeney for what was originally on the website before it was taken down from view. That link was sent to Marta and Jerry for their review. Evvy will resend.

NEW BUSINESS

Letter from Henry Szumiesz:

Tom Malley explained the letter. He stated that earlier they handed out the new 2008 Electrical Codes for the Board members. Suggested adoptions to the NEC will be presented at the next meeting. There was a sub-committee put together to study the 2008 Code at a previous meeting. Mark Weissflog stated they met twice since the last Board meeting. They are approximately 2/3rd of the way through the review of the new Code - and they will be through it by the next Board meeting in February. As of right now - there are no suggestions. A **PUBLIC HEARING** will be set for the February meeting.

Code Amendment Process:

Mike Santa reported that it might not be a bad idea to put some procedure in place for amending the State Building Code, and identify some parameters. The sub-committee came up with some ideas and presented them to the Board to tweak. (They are attached to these minutes.) Should be on the AGENDA for next month. Chair Tepe said the benefit to having a form like this - is that each amendment - would be separate, easier to track, and would have its own justification. Tedd asked if the Board should be getting into any fiscal impact aspect. Mike reported that the ICC process does - and its as simple as yes it will increase the cost or no it will not. The Board Rules and/or Policy and Procedures will have to be looked at if this is voted on to implement. Med Kopczynski stated that from the public's point of view - this would be a good idea. Local Boards of Appeals may grant variances to the State Building Code without any substantive process or guidance and should be looked at legislatively. Tedd Evans pointed out the language in Code when it talks about the authority of the Code Review Board and the jurisdiction - it limits the ability to allow new methods or materials that aren't considered in the Code but specifically does not permit variances in the Code. Tedd will volunteer to work with a legislative sub-committee to address this. Wayne Richardson will work with Tedd on a sub-committee. Tedd asked if Med would be willing to speak to the NH Municipal Association for support. Med volunteered to work with the sub-committee.

Med Kopczynski said that the fiscal note is probably is a good idea - but not to get hung up on it. You would need to weigh the fiscal impact (cost) against the life safety issues. This would give you the opportunity to support and state why you are making the changes. You will never make everything 100% safe no matter what you do.

OTHER BUSINESS

Jon Osgood said that he has concerns about how the amendments are listed on the website. He finds the EXHIBITS confusing. He thinks they should be listed as AMENDMENTS ADOPTED as opposed to EXHIBITS. The Chair explained that the Exhibits are posted on the website as presented to the Board. There is another section for the adopted amendments. Tedd asked if it would be prudent to wipe out the old ones now - and then do the new ones. Chair said no.

Legislation updates:

Tedd email the list to Evvy for updates and she will forward to Board members.

Everyone received Financial Disclosure Forms electronically and the Chair reminded that it needs to be submitted to the Secretary of State's office.

The Chair asked Jon Osgood to provided the links that the PUC just put on so that the Board may also list them.

NEXT MEETING:

2nd Friday in February the 8th .

ADJOURNMENT:

MOTION was made to adjourn by Wayne Richardson. **SECONDED** by Tedd Evans. Verbal vote was taken - and the Chair declared this meeting adjourned.